

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA,)
) No. 1:12-CR-116 (LO)
 v.)
)
 BRETT A. AMENDOLA,)
)
 Defendant.)

GOVERNMENT'S NOTICE OF SUPERVISED RELEASE VIOLATIONS

As directed by the Court, the United States provides notice to the defendant that it plans to prove the following violations by the defendant of the terms of his supervised release:

I. AMENDOLA WAS “NOT [TO] COMMIT ANOTHER FEDERAL, STATE OR LOCAL CRIME.”

A. THE PONZI SCHEME (MAIL AND WIRE FRAUD, 18 U.S.C. § 1341 & § 1343)

As alleged in the affidavit of Special Agent Javier Gonzalez, which accompanied the Government's Motion To Revoke Defendant's Supervised Release, Amendola engaged in a scheme or artifice to defraud by perpetrating the *Ponzi* scheme described in the affidavit. See in particular paragraphs 39 through 84 of the affidavit. The defendant has been provided virtually all relevant documentary evidence relating to these violations.

B. THE PAYCHECK PROTECTION PROGRAM (BANK FRAUD, 18 U.S.C. § 1346)

As alleged in S.A. Gonzalez's affidavit, Amendola defrauded the Paycheck Protection Program by making false and fraudulent statements to Celtic Bank, an FDIC-insured financial institution, on applications for SBA-backed loans. The PPP bank fraud

violations involving United Canna LLC are discussed at paragraphs 85 through 95 of S.A. Gonzalez's affidavit. The evidence supporting the bank fraud involving Brevon Developers Inc. will be included in the testimony of S.A. Gonzalez at the hearing on January 14, 2021. The defendant has been provided virtually all relevant documentary evidence relating to these violations.

II. AMENDOLA WAS "NOT [TO] ASSOCIATE WITH ANY PERSON CONVICTED OF A FELONY, UNLESS GRANTED PERMISSION TO DO SO BY THE PROBATION OFFICER."

Amendola knowingly associated with convicted felons. Amendola has admitted to this violation.¹ However, to show the extent of the violation, the United States will prove that Amendola knowing associated with convicted felons Anthony Slater, William Zipf, Paul Apostolopoulos, Aimee Arora, and David Baker. Amendola met Zipf, Apostolopoulos, Arora, and Baker while in pris0n. The evidence supporting these violations will be included in the testimony of S.A. Gonzalez and Probation Officer Nicole Andrews at the hearing on January 14, 2021. The defendant has been provided virtually all relevant documentary evidence relating to these violations.

For these reasons, the United States respectfully submits that the Court should revoke the defendant's supervised release and immediately remand the defendant.

¹ Amendola has also admitted to traveling to New Jersey without the permission of the Probation Office.

Because the defendant embarked upon this string of serious violations almost immediately upon his release from prison, he should receive no credit for time that he has served under supervised release.

Respectfully submitted,

G. ZACHARY TERWILLIGER
UNITED STATES ATTORNEY

Date: December 15, 2020

By: _____/s/

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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2020, I caused a copy of the foregoing memorandum to be filed with the Clerk of Court using the CM/ECF system, which will automatically generate a Notice of Electronic Filing (NEF) to all counsel of record.

/s/
James P. Gillis
Assistant United States Attorney